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TRANSMITTAL FORM

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Total Number of Pages in This Submission 3

Application Number 10/761,669

Filing Date January 21, 2004

First Named Inventor Byron J. Masterson, M.D.

Art Unit 2873

Examiner Name Jessica T. Stultz

Attorney Docket Number 55601.111638

ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form ☐ Drawing(s) ☐ After Allowance Communication TC
- ☐ Fee Attached ☐ Licensing-related Papers ☐ Appeal Communication to Board of Appeals and Interferences
- ☒ Amendment / Reply ☐ Petition ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- ☐ After Final ☐ Petition to Convert to a Provisional Application ☐ Proprietary Information
- ☐ Affidavits/declaration(s) ☐ Power of Attorney, Revocation Change of Correspondence Address ☐ Status Letter
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- ☐ Certified Copy of Priority Document(s) ☐ Landscape Table on CD
- ☐ Response to Missing Parts/Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

Remarks: Commissioner is authorized to charge any additional fee that may be due, or credit any overpayment in connection with this patent application to Deposit Account No. 11-0160.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name Blackwell Sanders Peper Martin, LLP

Signature *William B. Kircher*

Printed Name William B. Kircher

Date 8/17/2005 Reg. No. 22,481

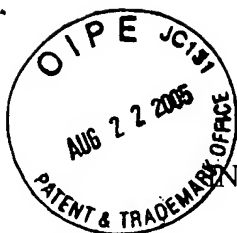
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Byron J. Masterson	:	Attorney Docket No.: 55601.111638
Serial No.: 10/761,669	:	Examiner: Jessica T. Stultz
Filed: January 21, 2004	:	Group Art Unit: 2873
For: EYEWEAR HAVING A	:	Customer No.: 027526
MAGNIFIED FIELD OF VIEW	:	Confirmation No. 3397
Last Office Action: August 1, 2005	:	

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Becky D. Doherty
Signature

AMENDMENT

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment mailed August 1, 2005, it is respectfully brought to the Examiner's attention that Figures 1 and 2 included as an attachment to the subject Amendment are merely part of the Response to the United States Patent and Trademark Office Action. These figures are used to discuss the prior art and are not meant to be "replacement" drawings. Please note on page 6 of the Amendment, lines 10 through 12, "Figures 1 and 2 attached hereto show examples of the Menezes, et al. viewing geometry and an example of a viewing geometry of the present invention respectively illustrating the difference between forward viewing and peripheral viewing." (emphasis added).

Applicant respectfully requests the Examiner to allow this application to be placed in condition for allowance based on the foregoing. However, if the Examiner should have any questions or wishes to discuss this with Applicant's attorney, the Examiner is respectfully requested to call the telephone number listed below.

Respectfully submitted,

Date:

8/17/2005



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